

United States District Court
for the Southern District of Georgia
Brunswick Division

FILED
U.S. DIST. COURT
BRUNSWICK DIV.

2005 JUL -8 P 2:29

CLERK *J. Jones*
S. DIST. OF GA.

UNITED STATES OF AMERICA

v.

CASE NO.: CR203-34

LARRY DAVID JAMES

O R D E R

Larry David James was indicted by the Grand Jury for the Southern District of Georgia and charged in a five count Indictment with Illegal Interceptions of Wire Communications in violation of 18 U.S.C. §§ 2511(1)(a) and 2511(4)(a). He pled guilty to one count and was sentenced to serve a period of twelve (12) months in confinement to be followed by three (3) years' supervised release. He was fined \$1,000.00 and a special assessment of \$100.00 was imposed. David T. Whitworth, an attorney in Brunswick, Georgia, was appointed by the Court to represent Larry David James in this proceeding.

Mr. Whitworth has now submitted his claim for services. He seeks compensation in the total amount of \$5,976.00. This includes \$450.00 as "In Court Compensation", and \$5,526.00 as "Out of Court Compensation". Upon full review of the submitted voucher, the Court's case file, and vouchers submitted by other counsel in comparable cases, it does not appear that this case warrants the award of fees requested. The Court approves the requested \$450.00 for "in Court"

services and approves \$3,550.00 "out of Court" services, for a total amount of \$4,000.00 in fees.

With respect to expenses by counsel's paralegal, it appears that the work performed by the paralegal was often duplicative of the work performed by counsel. Additionally, time spent on some activities appears out of line as compared to vouchers for paralegal services submitted in similar cases. For example, counsel seeks payment for 3 hours of paralegal time for "telephone conference with Buford Rowe, courtroom clerk, and with court reporter regarding efforts to obtain transcript of preliminary hearing where FBI agent testified" on December 12, 2003. Counsel should be reimbursed for 20 hours for time spent by the paralegal at the hourly rate of \$16.88¹ for a total of \$337.60. Further, \$691.30 for computer assisted research expenses, \$3.77 for toll calls, \$56.04 in postage, and \$202.95 for photocopies are reasonable expenses and should be paid. Thus, the sum of \$1,291.66 should be paid as reimbursement of "Other Expenses."

SO ORDERED, this 8 day of July, 2005.



JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ The hourly rate of compensation was computed by dividing the paralegal's annual salary of \$35,100 by 2,080 hours worked annually.